



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No. 27457 of 2017

Christopher David Rajesh
Proprietor
Excel Screens
New No.5, Old No.2, Railway Colony
4th Street, Nelson Manickam Road
Aminjikarai, Chennai 600 029

.. Petitioner

Versus

The Tamil Nadu Physical Education and
Sports University
Rep. By its Registrar
Vandalur - Kelambakkam Road
Melakottaiyur Post
Chennai 600 127

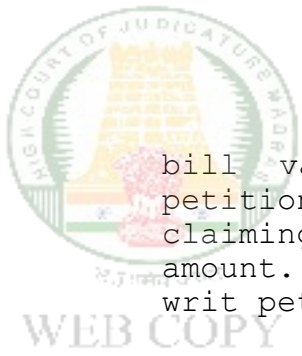
.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the Respondent to pay the Petitioner a sum of Rs.9,80,427/- along with interest at the rate of 18% per annum from 01.02.2017 till the date of realization.

For Petitioner	:	Mr. Adithyaraja For M/S.Wilson.Associates
For Respondent	:	Mr. R. Gopinath

ORDER

The petitioner is the Proprietor of the firm - Excel Screens engaged in the business of off-set and computerized printing. According to the petitioner, they are supplying study materials duly printed, as per the specification given by the respondent. During the year 2015, on the basis of the order placed by the respondent for printing 26750 books, the petitioner supplied a portion of the books for which he received the payment of Rs.4,51,861.20 on 26.03.2015. Thereafter, the petitioner supplied various other books as per the specification of the respondent and raised bills for a total value of Rs.12,00,477.60 to the respondent, however, the respondent did not pay the amount, inspite of several demands. Ultimately, on 24.01.2017, the petitioner was called upon by the officials of the respondent to reduce the bill value by Rs.3 lakhs as a condition precedent to settle the bill amount. The petitioner also reluctantly agreed to the same as he was in dire need of money. However, even after the reduction of the



bill value, the respondent did not pay the amount. The petitioner also submitted a representation on 01.02.2017 claiming the amount, but so far, the respondent did not pay the amount. In such circumstances, the petitioner has filed this writ petition.

2. Today, when the writ petition is taken up for hearing, the learned counsel for respondent, on instructions, submitted that the petitioner may be directed to submit a fresh representation with all documentary evidence and on receipt of the same, appropriate orders will be passed by the respondent.

3. In view of the above submission of the learned counsel for the respondent, the petitioner is directed to submit a fresh representation to the respondent, enclosing all the documentary evidence in support of their claim, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to consider it and pass appropriate order on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks thereafter.

4. With the above direction, the writ petition is disposed of. No costs.

s/d
Assistant Registrar(CS IV)

True Copy

Sub-Assistant Registrar

To

The Registrar,
The Tamil Nadu Physical Education and
Sports University,
Vandalur - Kelambakkam Road,
Melakottaiyur Post,
Chennai 600 127.

+1cc to M/S.R.Gopinath, Advocate, SR.No.37243
+1cc to M/S.P.Wilson, Associates Advocate, SR.No.36450

WP No. 27457 of 2017

RP(CO)
PM(06/09/2021)